

To the Citizens of Madison:

After I was sworn in as Mayor in January 2008, I was notified of three major historical problems occurring at the City's Wastewater Treatment Plant:

- A. Since the early 1990s, the City's Wastewater Treatment Plant had been out of compliance with its National Pollutant Discharge Elimination System (NPDES) permit. The NPDES permit sets the levels of treated wastewater the city is allowed to discharge the Ohio River;
- B. The city had violated its permit for metals and was appealing its metal limits for copper; and
- C. I was visited by federal agents with the United States Environmental Protection Agency who informed me that the City was under a criminal federal investigation regarding allegations that during May and June of 2007, the City discharged raw sewage to the Ohio River.

Upon this revelation, I assembled a stellar team of engineers and environmentalists to achieve the goal of compliance with our permit, while overhauling our treatment plant to better our water quality. We began evaluating the wastewater system and assessing the personnel at the facility to determine what changes were necessary to bring our City into compliance and move forward for the greater good of our community.

In our Bicentennial year, it was unacceptable to me that our city, a National Historic Site, with our wonderful river history, would have water quality problems.

In the course of the federal investigation, it was also learned that under the previous administration, the city had already plead guilty in 1997 to an unrelated federal environmental felony crime. The fact that both the federal and state government viewed our city as a repeat criminal offender was unacceptable to me. My administration was and will continue to be committed to bringing us into good standing with both the state and federal governments.

Because of the new federal felony criminal investigation, the government informed me that the city was facing the possibility of \$200,000 a-day in fines, potential felony criminal charges against employees, a potential five (5) year sewer ban, the possibility that the federal government would seize the wastewater facility and force the city to pay for a private firm to operate the system, and lastly, potential fines from the Indiana Department of Environmental Management (IDEM) for violations of our permit.

In response to what I inherited, the following has occurred:

- A. We terminated the city's relationship with the consulting firm that was providing advice during the time of the violations and hired a new consulting firm that had expertise in operating and maintaining a

wastewater treatment system and had proven experience with IDEM and EPA.

- B. We negotiated a one count misdemeanor plea agreement with the federal government and a \$15,000 fine. By this plea, we avoided felony charges and avoided huge fines.
- C. We removed the former wastewater plant operator, who was in charge when the violations occurred, and hired an individual who was trained as a licensed Class 3 Operator.
- D. We initiated a training program for our wastewater plant employees. As a result, additional employees have taken classes to be licensed and/or certified with operating and maintaining the facility.
- E. We initiated a facility improvement plan which will be completed in 3 phases with completion in 2016. The first phase will begin immediately through a loan from Indiana's SRF loan program.